



**BUILDING AND STANDARDS COMMISSION
MINUTES
PANEL 1**

REGULAR MEETING
Date: February 24, 2016

The Building and Standards Commission convened for a regular meeting on Wednesday, February 24, 2016 at City Hall, Boards and Commission Room, Room 1101, 301 West 2nd Street, Austin, Texas.

Commission Members in Attendance:

Charles Cloutman, Chair; Jessica Mangrum, Vice Chair; Wordy Thompson; John McIntyre; Abraham Cohen; Ashley Holmes; and John Green.

Staff in Attendance:

Chris Moore, Building & Standards Commission Coordinator; Dan Cardenas, Assistant Director; Marcus Elliott, Division Manager; Carl Smart, Director; Merlinda Coleman, Program Specialist; Edgar Hinojosa, Assistant Division Manager Doug Jansky, Administrative Hearing Coordinator; Patricia Link, Assistant City Attorney; Chris Maldonado, Legal Investigator; Dedric Knox, Code Officer; Alan Guyton; Code Officer, Troy Collins, Code Officer; Robert Alvarado, Assistant Division Manager; Elaine Garrett, Division Manager; Alicia Tovar, Code Officer; and Michelle Stark, Code Officer.

CALL TO ORDER

Chair Charles Cloutman called the Commission Meeting to order at 6:34 p.m.

1. CITIZEN COMMUNICATION: GENERAL

No one signed up to speak under citizen communication.

2. PUBLIC HEARINGS

Commission Coordinator Christopher Moore presented the following cases:

A. Appeals

- | <u>Case Number</u> | <u>Street Address</u> | <u>Owner(s)</u> |
|---|--------------------------------------|-------------------------|
| 1. CL 2015-118359 | 9100 Skye Cove | Solange Florez |
| The property located at 9100 Skye Cove was represented by the Attorney for the owner, Patrick Sutton and B. Pegara, the owner's partner. The appeal was for denial of her application for a Type 1 Short Term Rental (STR) license due to the number of Code complaints at her property. Staff recommended that the Commission deny the appeal. | | |
| Attorney Patrick Sutton and B. Pegara stated that the people going in and out of the house were house sitters. | | |
| Chair Charles Cloutman admitted Staff's Exhibits 1 and 2 into evidence. | | |
| Commission Member Ashley Holmes made a motion to grant the owner's appeal, which was seconded by Commission Member John McIntyre. The motion carried on a 7-0-0 vote and the appeal was granted. | | |
| 2. CL 2015-120852 | 4507 S. 3rd Street | Lisa Choo |
| The property located at 4507 S. 3 rd Street was pulled from the February 24, 2016 agenda. | | |
| 3. CL 2015-116184 | 1402 W. Oltorf Street | 1402 Oltorf, LLC |
| The property located at 1402 W. Oltorf Street was represented by the property owner's husband, Jerard Kolarik. The appellant in this case was appealing the code violation on the property, and requesting that in lieu of repairing or | | |

demolishing the structure in violation, to board and secure until which time in the near future all structures on the property are demolished.

Chair Charles Cloutman admitted Staff's Exhibit 1 and Exhibit 2A-2L for this property.

Commission Member John McIntyre made a motion to grant the owner's appeal, seconded by Commission Member Abraham Cohen. The vote carried unanimously on a 7-0 vote, and the appeal was granted.

4. CL 2015-119150 4113 Circletop Loop Marcia Shaflo

The property located at 4113 Circletop Loop was represented Attorney Kumer on behalf of the owner. The appellant appealed Code's denial of her Type 2 Short Term Rental (STR) license for multiple complaints for rental without a license and for over occupancy. Staff recommended that the Commission deny the appeal.

Chair Charles Cloutman admitted Staff's Exhibits 1 and 2 into evidence.

Vice Chair Jessica Mangrum made a motion to grant the owner's appeal, which was seconded by Commission Member Ashley Holmes. The motion carried on a 7-0-0 vote and the appeal was granted, allowing the owner to obtain a short term rental license.

5. CL 2014-116184 6710 Aries Lane RL Star Properties, LLC

The property located at 6710 Aries Lane was represented by owner, Robert Lentz. The owner appealed violation and compliance timeframes for structure maintenance violations on his property. The owner requested an extension of time to comply until the erosion and drainage issues on nearby City owned property is rectified.

Code Officer Knox testified that the erosion had been corrected by the City prior to the BSC meeting.

Chair Charles Cloutman admitted Staff's Exhibits 1 and 2A through 2F into evidence.

Commission Member John McIntyre made a motion seconded by Commission Member John Green to accept the Staff's recommendations and remove the unsound fence within 30 days. A friendly amendment was made by Vice Chair Jessica Mangrum, seconded by Commission Member John Green to deny the appeal. The vote carried unanimously on a 7-0 vote and the appeal was denied.

Although BSC denied Mr. Lentz' appeal the consensus of the Commission was that missing plats did not make a fence unsound.

B. Update Cases:

<u>Case Number</u>	<u>Street Address</u>	<u>Owner(s)</u>
1. 2015-098837, et al.	1124 Rutland Drive, Bldgs 1-18 & Main Office	NAHC Cross Creek Apartments LLC
2015-098837	1124 Rutland Drive, Main Office	NAHC Cross Creek Apartments, LLC
2015-098835	1124 Rutland Drive, Bldg. 1	NAHC Cross Creek Apartments, LLC
2015-098845	1124 Rutland Drive, Bldg. 2	NAHC Cross Creek Apartments, LLC
2015-098847	1124 Rutland Drive, Bldg. 3	NAHC Cross Creek Apartments, LLC
2015-098850	1124 Rutland Drive, Bldg. 4	NAHC Cross Creek Apartments, LLC
2015-098853	1124 Rutland Drive, Bldg. 5	NAHC Cross Creek Apartments, LLC
2015-098854	1124 Rutland Drive, Bldg. 6	NAHC Cross Creek Apartments, LLC
2015-098857	1124 Rutland Drive, Bldg. 7	NAHC Cross Creek Apartments, LLC
2015-098861	1124 Rutland Drive, Bldg. 8	NAHC Cross Creek Apartments, LLC
2015-098864	1124 Rutland Drive, Bldg. 9	NAHC Cross Creek Apartments, LLC
2015-098869	1124 Rutland Drive, Bldg. 10	NAHC Cross Creek Apartments, LLC
2015-098870	1124 Rutland Drive, Bldg. 11	NAHC Cross Creek Apartments, LLC

2015-098871	1124 Rutland Drive, Bldg. 12	NAHC Cross Creek Apartments, LLC
2015-098874	1124 Rutland Drive, Bldg. 13	NAHC Cross Creek Apartments, LLC
2015-098877	1124 Rutland Drive, Bldg. 14	NAHC Cross Creek Apartments, LLC
2015-098880	1124 Rutland Drive, Bldg. 15	NAHC Cross Creek Apartments, LLC
2015-098881	1124 Rutland Drive, Bldg. 16	NAHC Cross Creek Apartments, LLC
2015-098885	1124 Rutland Drive, Bldg. 17	NAHC Cross Creek Apartments, LLC
2015-098886	1124 Rutland Drive, Bldg. 18	NAHC Cross Creek Apartments, LLC

The monthly update for the property located at 1124 Rutland Drive was provided by Assistant Division, Manager Matthew Noriega; Code Officer, Hilda Martinez and Attorney representing the Property Owners, Mitchell Zoll. A District Court hearing is set for February 2, 2016.

2. DISCUSSION

- A. Report from Repeat Offenders Working Group**
- B. Proposed Changes to the City's Property Maintenance Code**

3. FUTURE AGENDA ITEMS

- A. 1409 Newning Avenue be placed on March agenda**
- B. Report on the Repeat Offender Program**

4. ADJOURNMENT

Chairperson Charles Cloutman adjourned the Commission Meeting at 9:05 pm on Commission Member Ashley Holmes' motion. Vice-Chair Jessica Mangrum's seconded without any objection on a 7-0-0 vote.